

## **ARLINGTON PUBLIC SCHOOLS**

*In accordance with the provisions of the Massachusetts General laws, Chapter 30A, Section 20, notice is hereby given for the following meeting of the:*

**Arlington School Committee  
Standing Subcommittee: Policies and Procedures  
Monday, April 24, 2023  
8:00 AM**

*Arlington High School  
869 Massachusetts Avenue  
Superintendent's Office - Sixth Floor  
Arlington, MA 02476*

### *Open Meeting (P. Schlichtman)*

*There will be no Public Comment agenda item. As part of the agenda, members of the public who wish to comment on individual agenda items will have the opportunity to join the discussions.*

### *Approval of Minutes - November 21, 2022*

*Minutes - November 21, 2022*

*Policies and procedures pertaining to curriculum challenges, including by not limited to:*

- *File BEE - Special Procedures for Conducting Hearings*
- *File IJ - Instructional Materials*
- *File IJ-R - Reconsideration of Instructional Resources*
- *File IJL - Library Materials Selection and Adoption*
- *File KE - Public Complaints*
- *File KEC - Public Complaints About the Curriculum or Curriculum Materials (Retired)*

### *Future Agenda Items*

### *Adjournment (P. Schlichtman)*

*The listings of matters are those reasonably anticipated by the Chair, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.*

*Stated times and time amounts, listed in parenthesis, are the estimated amount of time for that particular agenda item. Actual times may be shorter or longer depending on the time needed to fully explore the topic.*

*Submitted by Paul Schlichtman*

Massachusetts law requires all open session meetings of public bodies to be accessible to members of the public, including those with disabilities. If you need reasonable accommodations in order to

participate in the meeting, contact the Administrative Assistant to the Arlington School Committee Liz Diggins at [ediggins@arlington.k12.ma.us](mailto:ediggins@arlington.k12.ma.us).



## Town of Arlington, Massachusetts

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### **Location**

#### **Summary:**

Arlington High School  
869 Massachusetts Avenue  
Superintendent's Office - Sixth Floor  
Arlington, MA 02476



## Town of Arlington, Massachusetts

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### **Open Meeting (P. Schlichtman)**

#### **Summary:**

There will be no Public Comment agenda item. As part of the agenda, members of the public who wish to comment on individual agenda items will have the opportunity to join the discussions.



## Town of Arlington, Massachusetts

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### Approval of Minutes - November 21, 2022

#### Summary:

Minutes - November 21, 2022

#### ATTACHMENTS:

Type	File Name	Description
<input checked="" type="checkbox"/> Document for Approval	November_21__2022_minutes_for_approval.pdf	DRAFT MINUTES - November 21, 2022

**Arlington School Committee  
Standing Subcommittee: Policies and Procedures  
Monday, November 21, 2022  
2:00 p.m.  
School Committee Room  
Sixth Floor, Arlington High School  
869 Massachusetts Avenue  
Arlington, MA 02476**

**DRAFT MINUTES**

**The meeting was called to order at 2:05 p.m.**

There will be no **Public Comment** agenda item. As part of the agenda, members of the public who wish to comment on individual agenda items will have the opportunity to join the discussion.

**Members present:**

Paul Schlichtman, subcommittee chair  
Kirsti Allison-Ampe  
Bill Hayner

**Staff present:**

Elizabeth Homan, Superintendent of Schools  
Robert Spiegel, Director of Human Resources

**Approval of Minutes – August 12, 2022**

On a **motion** by Mr. Hayner, **seconded** by Dr. Allison-Ampe, it was **voted** to approve the minutes of the August 12, 2022 subcommittee meeting. (3-0)

**File: ECEV – ELECTRIC VEHICLE CHARGING STATIONS**

Mr. Schlichtman presented a proposed policy pertaining to EV charging stations. He described the problem with vehicles parked blocking the charging stations on Schouler Court. He described the need to post signs that comply with US Department of Transportation standards (Manual of Uniform Traffic Control Devices). There was a discussion on the provision calling for assessing the demand for charging stations on the part of the staff.

On a **motion** by Mr. Hayner, **seconded** by Dr. Allison-Ampe, it was **voted** to present File ECEV - ELECTRIC VEHICLE CHARGING STATIONS to the school committee for first reading. (3-0)

**File: BEDB – AGENDA FORMAT/AGENDA PREPARATION AND DISSEMINATION**

Mr. Schlichtman opened the discussion, noting that Superintendent Homan has been regularly including additional items on every agenda. He said we should amend the policy if we want these items to be included on the agenda for every regular meeting. After a discussion, the

subcommittee came to a consensus that Student Representative Report and Liaison Report should be added to the policy.

On a **motion** by Mr. Hayner, **seconded** by Dr. Allison-Ampe, it was **voted** to present File BEDB - AGENDA FORMAT/AGENDAPREPARATION AND DISSEMINATION, as amended, to the school committee for first reading.

(3-0)

**File: BEDH – PUBLIC COMMENT AT SCHOOL COMMITTEE MEETINGS +**

**File: BEDH-E – GUIDELINES FOR PUBLIC COMMENT**

Mr. Schlichtman said he included this agenda item as the current practice for public comment, which was changed when we began remote meetings, does not align to current policy. Mr. Hayner suggested that people who wish to speak should be able to make a request to speak by telephone. The subcommittee discussed the use of a sign-in sheet to be available on the day of the meeting. The subcommittee came to consensus over the following language, to be incorporated into File BEDH-E:

Members who wish to address the Committee during Public Comment are advised to register to speak by 3:00 p.m. on the day of the meeting by telephone or by email, directed to the Administrative Secretary of the School Committee.

The list of persons registered to speak, ordered by the date and time of the request, shall be presented to the Chair at the beginning of the meeting.

Additionally, there will be sign-up available prior to the in-person meeting. If the registered speakers do not consume the 30 minutes of time allocated for Public Comment, the Chair may recognize persons in attendance who request an opportunity to speak.

The Chair shall call upon persons who have requested an opportunity to speak. Based on the meeting format, speakers may participate remotely or in person. If the number of people who sign up exceeds those who can reasonably speak in 30 minutes, speaking time may be reduced, or the number of speakers may be capped, at the discretion of the Chair.

Persons unable to speak, due to time constraints, will be invited to speak at the next regular meeting of the School Committee.

On a **motion** by Mr. Hayner, **seconded** by Dr. Allison-Ampe, it was **voted** to present File: BEDH-E – GUIDELINES FOR PUBLIC COMMENT, as amended, to the school committee for first reading.

(3-0)

Mr. Schlichtman announced that the remaining agenda items consisted fo mostly technical changes and minor revisions to policies based on changes to state law, recommended by the Massachusetts Association of School Committees.

**File: KCD – PUBLIC GIFTS TO THE SCHOOLS**

MASC proposed replacing the following sentence:

The Superintendent will have authority to accept gifts and offers of equipment for the schools in the name of the committee when the gift is of educational value.

With the following language:

In accordance with state law, all grants and gifts to the Arlington Public Schools shall be reviewed and accepted by the School Committee before expenditure or use.

The subcommittee questioned whether it was necessary for the School Committee to approve very small gifts. The committee read the appropriate state statutes (M.G.L. 44:53A, 71:37A), and decided they needed further counsel.

On a **motion** by Mr. Hayner, **seconded** by Dr. Allison-Ampe, it was **voted** to request advice from Town Counsel pertaining to the legal requirements for receiving gifts.

(3-0)

**File: JFBB – SCHOOL CHOICE**

MASC recommended removing a sentence giving resident students priority in placements, as it conflicts with state law and DESE regulations. In addition, a reference to the Acts of 2022, Chapter 117 (Crown Act) was added.

On a **motion** by Mr. Hayner **seconded** by Dr. Allison-Ampe, it was **voted** to present File: JFBB – SCHOOL CHOICE, as amended, to the school committee for first reading.

(3-0)

**File: JIC – STUDENT DISCIPLINE**

MASC recommended changing “parent” to “parent/guardian” as it appears in the policy. In addition, a reference to the Acts of 2022, Chapter 117 (Crown Act) was added.

On a **motion** by Mr. Hayner, **seconded** by Dr. Allison-Ampe, it was **voted** to present File: JIC – STUDENT DISCIPLINE, as amended, to the school committee for first reading.

(3-0)

**File: JICA – STUDENT DRESS**

MASC recommended adding a reference to the Acts of 2022, Chapter 117 (Crown Act).

On a **motion** by Mr. Hayner, **seconded** by Dr. Allison-Ampe, it was **voted** to present File: JICA – STUDENT DRESS, as amended, to the school committee for first reading.

(3-0)

**File: JB – EQUAL EDUCATIONAL OPPORTUNITIES**

MASC recommended removing the direct quote of statute from the policy, and adding appropriate references.

On a **motion** by Mr. Hayner, **seconded** by Dr. Allison-Ampe, it was **voted** to present File: JB – EQUAL EDUCATIONAL OPPORTUNITIES, as amended, to the school committee for first reading.

(3-0)

**File: AC – NON-DISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION**

MASC recommended adding a reference to the Acts of 2022, Chapter 117 (Crown Act). On a **motion** by Mr. Hayner, **seconded** by Dr. Allison-Ampe, it was **voted** to present File: AC – NON-DISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION, as amended, to the school committee for first reading.

(3-0)

**File: AC-R – NON-DISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION**

MASC recommended adding a reference to the Acts of 2022, Chapter 117 (Crown Act). On a **motion** by Mr. Hayner, **seconded** by Dr. Allison-Ampe, it was **voted** to present File: AC-R – NON-DISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION, as amended, to the school committee for first reading.

(3-0)

**File: GBA – EQUAL EMPLOYMENT OPPORTUNITY**

MASC recommended adjusting the language pertaining to active military/veteran status and homelessness. In addition, a reference to the Acts of 2022, Chapter 117 (Crown Act) was added. On a **motion** by Mr. Hayner **seconded** by Dr. Allison-Ampe, it was **voted** to present File: GBA – EQUAL EMPLOYMENT OPPORTUNITY, as amended, to the school committee for first reading.

**File: GCF – PROFESSIONAL STAFF HIRING**

MASC recommended adding a reference to the Acts of 2022, Chapter 117 (Crown Act). On a **motion** by Mr. Hayner, **seconded** by Dr. Allison-Ampe, it was **voted** to present File: GCF – PROFESSIONAL STAFF HIRING, as amended, to the school committee for first reading.

(3-0)

**Future Agenda Items**

Dr. Allison-Ampe said the Budget Subcommittee is looking at File: DBC – Budget deadlines and schedules, and their work will be forwarded to the Policies and Procedures subcommittee.

Mr. Hayner, chair of the Community Relations Subcommittee, said we should establish a policy regarding School Committee appointments to various boards and commissions.

Mr. Schlichtman said the subcommittee will also need to look at writing a district policy (IHCC) that would define district policy pertaining to selecting courses and levels of study.

**Adjournment**

On a **motion** by Mr. Hayner, **seconded** by Dr. Allison-Ampe, it was **voted** to adjourn at 2:59 p.m.

masc

# POLICY NEWSLETTER

August 2022

## Updated MASC Model Policies for Student Dress and Student Discipline

In response to recent updates in federal law, new guidance issued at the federal level, and recent action taken by the 192nd General Court of the Commonwealth of Massachusetts: Acts of 2022, Chapter 117 (\*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles), MASC Field Staff have updated the following policies to reflect the new requirements and guidance. These policies have been updated in the MASC online reference manual.

**JIC – Student Discipline** – includes a reference to recently issued federal guidance pertaining to student discipline and Section 504 of the Rehabilitation Act of 1973, ensuring that students are effectively supported when responding to a behavior that is based on a student's disability that could lead to student discipline, and a legal reference to Chapter 222, An Act Relative to Student Access to Educational Services and Exclusion from School.

- Chapter 222 An Act Relative to Student Access to Educational Services and Exclusion from School
- Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973 *and*
- Questions and Answers Addressing the Needs of Children with Disabilities and the Individuals with Disabilities Education Act's (IDEA's) Discipline Provisions.

**JICA – Student Dress** – to include the expanded definition of race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles, and the correlating legal reference to Acts of 2022, Chapter 117.

**AC Non Discrimination including Harassment and Retaliation** - to include the expanded definition of race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles, and the correlating legal reference to Acts of 2022, Chapter 117.

**AC-R Non Discrimination including Harassment and Retaliation** - to include the expanded definition of race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles, and the correlating legal reference to Acts of 2022, Chapter 117.

**GBA Equal Employment Opportunity** - to include the expanded definition of race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles, and the correlating legal reference to Acts of 2022, Chapter 117.

**GCF - Professional Staff Hiring** - to include the expanded definition of race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles, and the correlating legal reference to Acts of 2022, Chapter 117.

**JB - Equal Educational Opportunities** - to include the expanded definition of race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles, and the correlating legal reference to Acts of 2022, Chapter 117.

**JFBB - School Choice** - to include the expanded definition of race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles, and the correlating legal reference to Acts of 2022, Chapter 117.

**JFBB-I - School Choice** - to include the expanded definition of race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles, and the correlating legal reference to Acts of 2022, Chapter 117.

**FILE ECEV – ELECTRIC VEHICLE CHARGING STATIONS**  
(new policy)

The Town of Arlington has set a goal of powering buildings and transportation with clean electricity to achieve net zero GHG emissions by 2050. In order to make progress toward that goal, the Town of Arlington Net Zero Action Plan directs the town to “create and implement a plan to help ensure sufficient investment in electric vehicle charging stations to provide the infrastructure needed to support continued EV adoption by residents, workers, and visitors.”

The Arlington Public Schools commits to supporting the Town of Arlington Zero Emissions Mobility High Priority Measure 2, in which the town will “create and implement a plan to expand public vehicle charging options at libraries, business districts, public parking facilities, and other facilities, both on- and off-street.”

The superintendent (or designee) shall, on an annual basis, assess the demand for charging stations at our schools, and work with appropriate town officials to meet this demand.

The Arlington Public Schools will welcome members of the community to access charging stations on school property during the times that schools are not in session. Appropriate signage shall be placed denoting the hours the charger is available to the public.

Vehicles parked in spaces designated for electric vehicle charging must be plugged in and must be actively charging. Parking spaces shall be posted with signage that meets standards established under the Manual of Uniform Traffic Control Devices (MUTCD) prohibiting parking except for electric vehicles while charging (R7-113), and shall also include a plaque (R7-113aP) stating “VEHICLE MUST BE PLUGGED IN.” A plaque (R7-201a) may be installed indicating violators may be towed.

The Arlington Public Schools requests the Arlington Police Department to enforce these parking restrictions.

**Reference:** United States Department of Transportation, Federal Highway Administration, Manual of Uniform Traffic Control Devices  
R7-113  
R7-113aP  
R7-201a

## **File: BEDB - AGENDA FORMAT/PREPARATION AND DISSEMINATION**

An agenda shall be provided for all regular, special, adjourned and planning meetings.

A tentative agenda for each regular meeting shall be determined by the chairperson in collaboration with the Superintendent. It shall be submitted to the administrative assistant of the Committee for preparation and delivery to the members, notice to the press, and posting online. The agenda and supporting materials, as gathered by the Superintendent, shall be sent to Committee members two workdays preceding the School Committee meeting, no later than 4:00 p.m., except for emergencies. Any items received by the administrative assistant later than 4:00 p.m. two workdays preceding the School Committee meeting shall be held and heard the following meeting, except for emergencies.

In addition, the administrative assistant shall provide the following to the Arlington Public Schools Direct of Technology to be posted on the website:

- School Committee agendas, posted with a disclaimer that the agenda is tentative and may be subject to change up until the time of the meeting
- School Committee minutes, motions and appropriate back up material
- Subcommittee agendas, posted with a disclaimer that the agenda is tentative and may be subject to change up until the time of the meeting
- Subcommittee minutes, motion and appropriate back up material

The following shall be included, but not limited to, items of business to be considered at each regular meeting:

- Public Comment
- **Student Representative Report**
- Consent Agenda
- Superintendent's report
- Report of subcommittees and announcements
- **Liaison Report**

**At the beginning of the first regular meeting in October (or such other meeting date as is approximate to "Indigenous Peoples Day" per Title I, Article 6 of the Town Bylaws), the reading of a land acknowledgement, as set forth under File BEDL, shall be the first item on the agenda.**

The Committee will follow the order of business established by the agenda except as it votes to rearrange the order for the convenience of visitors, individuals appearing before the committee, or to expedite committee business.

Items of business may be suggested by any School Committee member, staff member, or town resident. The inclusion of such items, however, will be at the discretion of the Chairperson of the Committee. A staff member who wishes to have a topic scheduled on the agenda should submit the request through the Superintendent. Individuals may submit such requests to the school committee chair through the Committee's administrative secretary.

Copies of the final agenda shall be available to spectators at all open session meetings for which an agenda is required.

School committee members are subject to the provisions of the Open Meeting Law, limiting opportunities for members to deliberate with each other. In order to facilitate deliberation and discussions, reports and presentations directed at the Committee shall not exceed 15 minutes, unless the chair determines that scheduling a longer presentation is necessary. In addition, the rules may be suspended by a two-thirds vote of the members present. Written reports may be received by a vote of the Committee and entered into the record of the meeting, and shall not be read aloud at the meeting. All presentations shall be consistent with the high instructional standards of the Arlington Public Schools, and PowerPoints shall be crafted in a manner consistent with best practices.

Whenever possible the materials for the meeting will be made available online to the public at the start of the meeting.

All published agendas shall contain the following language:

"Massachusetts law requires all open session meetings of public bodies to be accessible to members of the public, including those with disabilities. If you need reasonable accommodations in order to participate in the meeting, contact the Administrative Assistant to the Arlington School Committee [Insert Name/Contact Information]in advance of the meeting."

#### Consent Agenda

Items that are considered to be routine shall be placed on the Consent Agenda and shall be enacted by one motion. The Agenda shall have an asterisk (\*) next to each item placed on the Consent Agenda. There shall be no separate discussion of items placed on the Consent Agenda unless a member of the School Committee so requests, in which event the item shall be considered in its normal sequence on the agenda. Any one member of the committee may remove an item from the Consent Agenda for discussion. Items that may be placed on the consent Agenda may include but are not limited to the following: a) minutes of previous meetings, b) changes to the policy manual (second reading), c) field trips, d) warrant approvals, and e) other items that deemed to be routine by the Chair.

For the benefit of the public, the Chair will read the following paragraph and the list of items included in the Consent Agenda:

*"All items are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Committee so requests, in which event the item will be considered in its normal sequence on the agenda. "*

CONTRACT REFERENCE: AEA (Unit A&B)

CROSS REF: [BEDH](#), Public Comment at School Committee Meetings

[BEDL](#), Land Acknowledgement

Arlington Public Schools  
Approved April 14, 2022

## **File: BEDH-E - GUIDELINES FOR PUBLIC COMMENT**

A School Committee Meeting is a meeting of a government body at which members of the body deliberate over public business. We welcome the attendance of members of the school district community to view your School Committee as it conducts its regular business meeting.

Massachusetts General Laws Chapter [30A Section 20\(f\)](#) governs public participation at open meetings covering all public bodies.

### **[Chapter 30A:20 \[Notice, Remote Participation, Public Participation, Certification\]](#)**

*(f) No person shall address a meeting of a public body without permission of the chair, and all persons shall, at the request of the chair, be silent. No person shall disrupt the proceedings of a meeting of a public body. If, after clear warning from the chair, a person continues to disrupt the proceedings, the chair may order the person to withdraw from the meeting and if the person does not withdraw, the chair may authorize a constable or other officer to remove the person from the meeting.*

The School Committee believes that the school district community should have an opportunity to comment to the Committee on issues that affect the school district and are within the scope of the Committee's responsibilities. Therefore the Committee has set aside a period of time at each School Committee meeting to hear from the public. In addition, if the Committee believes that an issue requires a dialogue with the school district community, the Committee may schedule a separate public hearing on that issue.

Any person who wishes to make a presentation to the School Committee on an item which is of interest to him/her and within the scope of the Committee's responsibilities may request to be placed on the agenda for a particular meeting. Such request should be in writing and should be received by the Superintendent of Schools at least one week prior to the date of the meeting. Such request should contain background statements which would explain the scope and intent of the agenda item. The Chair of the Committee works with the Superintendent to formulate the meeting agendas. Together they will determine whether or not to place an item on the agenda and if the item is to be taken up, they will also determine when to place an item on the agenda and all parameters to be required of the presenter.

Here are the general rules for the Committee's public comment period:

1. Members who wish to address the Committee during Public Comment are advised to register to speak by 3:00 p.m. on the day of the meeting by telephone or by email, directed to the Administrative Secretary of the School Committee.

The list of persons registered to speak, ordered by the date and time of the request, shall be presented to the Chair at the beginning of the meeting.

Additionally, there will be sign-up available prior to the in-person meeting. If the registered speakers do not consume the 30 minutes of time allocated for Public Comment, the Chair may recognize persons in attendance who request an opportunity to speak.

2. Public Comment shall generally follow the opening of the meeting. The Committee reserves the right to rearrange its agenda to accommodate scheduled presenters. **The Chair shall call upon persons who have requested an opportunity to speak. Based on the meeting format, speakers may participate remotely or in person. If the number of people who sign up exceeds those who can reasonably speak in 30 minutes, speaking time may be reduced, or the number of speakers may be capped, at the discretion of the Chair.**

**Persons unable to speak, due to time constraints, will be invited to speak at the next regular meeting of the School Committee.**

3. Any person wishing to speak before the Committee shall identify themselves by name and address and will be allowed up to three (3) minutes to present their material. The Chairperson may reduce speaking time if needed and/or may permit extension of this time limit. No person may speak more than once without permission of the Chair. All persons shall speak to the full Committee through the Chair and shall not address individual members or administrators.

4. Individuals may address topics on the agenda, items specified for public comment, or items within the scope of responsibility of the School Committee. The Chair shall rule out of order any individual who fails to honor the guidelines or who addresses a matter inappropriate for public comment.

5. Any Committee member may direct questions to the speaker through the Chair in order to clarify comments of the speaker.

Edited and adopted by the School Committee September 24, 2020

## **File: JFBB - SCHOOL CHOICE**

It is the policy of this school district **not** to admit non-resident students under the terms and conditions of the Interdistrict School Choice Law. This decision must be reaffirmed annually prior to June 1st by a vote of the School Committee following a public hearing. In the event the School Committee votes to participate, the following local conditions would apply:

1. That by May 1 of every school year, the administration will determine the number of spaces in each school available to choice students.
2. That by June 1 of every school year, a public hearing will be held to review participation in the school choice program.
3. ~~That resident students be given priority placement in any classes or programs within the district.~~
34. That the selection of non-resident students for admission when the number of requests exceeds the number of available spaces be in the form of a random drawing. There will be two drawings for this purpose. The first will take place during the last week of the current school year but no later than July 1st. The second will be conducted during the week immediately preceding the opening of the next school year and will be based on the possibility of unexpected additional openings.
45. Any student who is accepted for admission under the provisions of this policy is entitled to remain in the district until graduation from high school except if there is a lack of funding of the program.
56. The School Committee affirms its position that it shall not discriminate in the admission of any child on the basis of race,\* color, religious creed, national origin, sex, gender identity, age, sexual orientation, homelessness, ancestry, athletic performance, physical handicap, special need, pregnancy, pregnancy related condition, academic performance or proficiency in the English language.

LEGAL REFS.: M.G.L. [71:6](#); [71:6A](#); [76:6](#); [76:12](#); [76:12B](#)

603 CMR 26:00

**Acts of 2022, Chapter 117 (\*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.)**

**File: JIC - STUDENT DISCIPLINE**

The School Committee believes that all students deserve every opportunity to achieve academic success in a safe, secure learning environment. Good citizenship in schools is based on respect and consideration for the rights of others. Students will be expected to conduct themselves in a way that the rights and privileges of others are not violated. They will be required to respect constituted authority, to conform to school rules and to those provisions of law that apply to their conduct.

Each Principal shall include prohibited actions in the student handbook or other publication to be made available to students and parents/**guardians**.

Principals and staff shall not use academic punishment of any form as a consequence to inappropriate behaviors/actions by students.

The Principal may, as a disciplinary measure, remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to the remainder of this policy, law, or regulation.

The Superintendent shall provide each Principal with a copy of the regulations promulgated by DESE and shall have each Principal sign a document acknowledging receipt thereof, which shall be placed in their personnel file.

**Suspension**

- In every case of student misconduct for which suspension may be imposed (except for offenses referenced in the note at the end of this policy), a Principal shall consider ways to re-engage the student in learning; and avoid using long-term suspension from school as a consequence until alternatives have been tried. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

**Notice of Suspension:**

Except for emergency removal or an in-school suspension of less than 10 days, a Principal must provide the student and the parent/**guardian** oral and written notice, and provide the student an opportunity for a hearing and the parent/**guardian** an opportunity to participate in such hearing before imposing suspension as a consequence for misconduct. The Principal shall provide both oral and written notice to student and parent/**guardian** in English and in the primary language of

the home if other than English. The notice shall include the rights enumerated in law and regulation. To conduct a hearing without a parent/guardian present, the Principal must be able to document reasonable efforts to include the parent/guardian.

### **Emergency Removal**

A Principal may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the Principal's judgment, there is no alternative available to alleviate the danger or disruption. The Principal shall immediately notify the Superintendent in writing of the removal including a description of the danger presented by the student.

The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the Principal shall: Make immediate and reasonable efforts to orally notify the student and the student's parent/guardian of the emergency removal, the reason for the need for emergency removal, and the other matters required in the notice as referenced in the applicable regulation; Provide written notice to the student and parent/guardian as required above; Provide the student an opportunity for a hearing with the Principal that complies with applicable regulations, and the parent/guardian an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the Principal, student, and parent/guardian; Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of applicable law and regulation.

A Principal shall also ensure adequate provisions have been made for the student's safety and transportation prior to removal.

### **In School Suspension – not more than 10 days consecutively or cumulatively**

The Principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.

The Principal may impose an in-school suspension for a disciplinary offense under this provision, provided that the Principal follows the process set forth in regulation and the student has the opportunity to make academic progress as required by law and regulation.

### **Principal's Hearing – Short Term Suspension of up to 10 days**

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute

the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, the Principal shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information.

The student also shall have an opportunity to present information, including mitigating facts, that the Principal should consider in determining whether other remedies and consequences may be appropriate as set forth in law and regulation.

The Principal shall provide the parent/guardian, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student.

The Principal shall, based on the available information, including mitigating circumstances, determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

The Principal shall notify the student and parent/guardian of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as required by law and regulation. The determination shall be in writing and may be in the form of an update to the original written notice.

If the student is in a public preschool program or in grades K through 3, the Principal shall send a copy of the written determination to the Superintendent and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.

### **Principal's Hearing – Long Term Suspension of more than 10 days but less than 90 days (consecutive or cumulative)**

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights: In advance of the hearing, the opportunity to review the student's record and the documents upon which the Principal may rely in making a determination

to suspend the student or not; The right to be represented by counsel or a lay person of the student's choice, at the student's/parent's/guardian's expense; The right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; The right to cross-examine witnesses presented by the school district; The right to request that the hearing be recorded by the Principal, and to receive a copy of the audio recording upon request. If the student or parent/guardian requests an audio recording, the Principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent/guardian upon request.

The Principal shall provide the parent/guardian, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student.

The Principal shall, based on the evidence, determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as required by law and regulation, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The Principal shall send the written determination to the student and parent/guardian by hand-delivery, certified mail, first-class mail, email to an address provided by the parent/guardian for school communications, or any other method of delivery agreed to by the Principal and the parent/guardian.

If the Principal decides to suspend the student, the written determination shall: Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; Set out the key facts and conclusions reached by the Principal; Identify the length and effective date of the suspension, as well as a date of return to school; Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as required by law and regulation; Inform the student of the right to appeal the Principal's decision to the Superintendent or designee, but only if the Principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information: The process for appealing the decision, including that the student or parent/guardian must file a written notice of appeal with the Superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent/guardian may request and receive from the Superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that the long-term suspension will remain in effect unless and until the Superintendent decides to reverse the Principal's determination on appeal.

If the student is in a public preschool program or in grades K through 3, the Principal shall send a copy of the written determination to the Superintendent and explain the reasons for imposing an out-of-school suspension before the suspension takes effect.

### **Superintendent's Hearing**

A student who is placed on long-term suspension following a hearing with the Principal shall have the right to appeal the Principal's decision to the Superintendent.

The student or parent/guardian shall file a notice of appeal with the Superintendent within the time period noted above (see Principal's hearing – Suspension of more than 10 days). If the appeal is not timely filed, the Superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

The Superintendent shall hold the hearing within three (3) school days of the student's request, unless the student or parent/guardian requests an extension of up to seven (7) additional calendar days, in which case the Superintendent shall grant the extension.

The Superintendent shall make a good faith effort to include the parent/guardian in the hearing. The Superintendent shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent/guardian and Superintendent to participate. The Superintendent shall send written notice to the parent/guardian of the date, time, and location of the hearing.

The Superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be.

The

Superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent/guardian upon request. The Superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent/guardian upon request. The student shall have all the rights afforded the student at the Principal's hearing for long-term suspension.

The Superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of law and regulation. If the Superintendent determines that the student committed the disciplinary offense, the Superintendent may impose the same or a lesser consequence than the Principal, but shall not impose a suspension greater than that imposed by the Principal's decision. The decision of the Superintendent shall be the final decision of the school district with regard to the suspension.

## **Expulsion**

Expulsion is defined as the removal of a student from school for more than ninety (90) school days, indefinitely, or permanently as allowed by law for possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Any student expelled from school for such an offense shall be afforded an opportunity to receive educational services and make academic progress.

## **Academic Progress**

Any student who is suspended or expelled shall have the opportunity to earn credits, make up assignments, tests, papers, and other schoolwork as needed to make academic progress during the period of his or her removal from the classroom or school. The Principal shall inform the student and parent/guardian of this opportunity in writing, in English and in the primary language of the home, when such suspension or expulsion is imposed.

Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

The Principal shall develop a school-wide education service plan describing the education services that the school district will make available to students who are expelled or suspended from school for more than ten (10) consecutive days. The plan shall include the process for notifying such students and their parents/guardians of the services and arranging such services. Education services shall be based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under the law.

The Principal shall notify the parent/guardian and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

For each student expelled or suspended from school for more than ten (10) consecutive days, whether in-school or out-of-school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department of Elementary and Secondary Education.

## **Reporting**

The school district shall collect and annually report data to the DESE regarding in-school suspensions, short- and long-term suspensions, expulsions, emergency removals, access to education services, and such other information as may be required by the DESE.

The Principal of each school shall periodically review discipline data by selected student populations, including but not limited to race and ethnicity, gender, socioeconomic status, English language learner status, and student with a disability status in accordance with law and regulation.

SOURCE: MASC – August 2022

LEGAL REF: M.G.L. [71:37H](#); [71:37H ½](#); 71:37H ¾; 76:17

603 CMR 53.00

[Chapter 222 An Act Relative to Student Access to Educational Services and Exclusion from School](#)

[Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973 and Questions and Answers Addressing the Needs of Children with Disabilities and the Individuals with Disabilities Education Act's \(IDEA's\) Discipline Provisions.](#)

**NOTE:** The DESE regulations on student discipline and this policy, consistent with law, set forth the minimum procedural requirements applicable to the suspension of a student for a disciplinary offense other than: possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in the school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c. 71, S. 37H or 37H½. The Principal, pursuant to the previously referenced statute may remove a student who has committed any of the disciplinary offenses above referenced from school for more than 90 days in a school year except that

**the removal from school for such offenses is subject to the provision of continuing educational services needed to make academic progress and, the requirement that all school districts regardless of the type of offense shall report school discipline data and analysis to DESE. Also, the prohibited actions above referenced are subject to the provision that allows the Commissioner to investigate each school that has a significant number of students suspended and expelled for more than 10 cumulative days in a school year and to make recommendations thereo--n.**

**Chapter 222, An Act Relative to Student Access to Educational Services and Exclusion from School, addresses continuation of educational services for students when they are excluded from school.**

**New Federal Guidance related to Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973 that students are effectively supported when responding to behavior that is based on a student's disability that could lead to student discipline has been added as a legal reference.**

**File: JICA - STUDENT DRESS CODE**

The responsibility for the dress and appearance of the students will rest with individual students and parents/guardians.

They have the right to determine how the student will dress providing that attire is not destructive to school property, complies with requirements for health and safety, and does not cause disorder or disruption. The administration is authorized to take action in instances where individual dress does not meet the stated requirements.

This does not mean that student, faculty, or parent groups may not recommend appropriate dress for school or special occasions. It means that students will not be prevented from attending school or a school function, or otherwise be discriminated against, so long as their dress and appearance meet the requirements set forth above.

LEGAL REF: [Creating a Respectful and Open World for Natural Hair Act of 2022](#)

SOURCE: MASC – August 2022

## **File: JB - EQUAL EDUCATIONAL OPPORTUNITIES**

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the School Committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race\*, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law.

To accomplish this, the Committee and its staff will make every effort to comply with the letter and the spirit of the Massachusetts equal educational opportunities law which prohibits discrimination in public school admissions and programs. ~~The law reads as follows:~~

~~No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and course of study of such public school on account of race, color, sex, gender identity, religion, national origin, sexual orientation, pregnancy or pregnancy related condition.~~

This will mean that every student will be given equal opportunity in school admission, admissions to courses, course content, support services, and extracurricular and athletic activities.

All implementing provisions issued by the Board of Elementary and Secondary Education in compliance with this law will be followed.

SOURCE: MASC - August 2022

LEGAL REFS.: Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972

Executive Order 11246, as amended by E.O. 11375

Title IX, Education Amendments of 1972

M.G.L. [76:5](#); [76:16](#) (Chapter 622 of the Acts of 1971)

[603 CMR 26:00](#), [603 CMR 28.00](#)

[The McKinney-Vento Act and Title I Part A, as Amended by the Every Student Succeeds Act of 2015](#)

[Acts of 2022, Chapter 117](#) (\*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.)

CROSS REF.: [AC](#), Nondiscrimination

**NOTE:** The cross reference is to a related statement in this manual.

## **NON-DISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION**

The Arlington School Committee and Arlington Public Schools are committed to maintaining an education and work environment for all school community members. that is free from all forms of discrimination, including harassment and retaliation. The members of the school community include the School Committee, employees, administration, faculty, staff, students, volunteers in the schools, and parties contracted to perform work for the Arlington Public Schools.

Arlington Public Schools does not exclude from participation, deny the benefits of PS from or otherwise discriminate against, individuals on the basis of race,\* color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law in the administration of its educational and employment policies, or in its programs and activities.

This commitment to the community is affirmed by the following statements. The School Committee commits to:

1. Promoting the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
2. Encouraging positive experiences in human values for children, youth and adults, all of whom have differing personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.
3. Working toward a more integrated society and enlisting the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
4. Using all appropriate communication and action techniques to air and address the grievances of individuals and groups.
5. Carefully consider, in all the decisions made within the school district, the potential benefits or adverse consequences that those decisions might have on the human relations.
6. Initiating a process of reviewing policies and practices of the school district in order to achieve to the greatest extent possible the objectives of this statement.

The Arlington Public Schools requires all members of the school community to conduct themselves in accordance with this policy.

It shall be a violation of this policy for any member of the school community to engage in any form of discrimination, including harassment and retaliation, or to violate any other civil right of any member of the school community. We recognize that discrimination can take a range of forms and can be targeted or unintentional; however, discrimination in any form, including harassment and retaliation, will not be tolerated.

It shall also be a violation of this policy for any school community member to subject any other member of the school community to any form of retaliation, including, but not limited to,

coercion, intimidation, interference, punishment, discrimination, or harassment, for reporting or filing a complaint of discrimination, cooperating in an investigation, aiding or encouraging another member of the school community to report such conduct or file a complaint, or opposing any act or practice reasonably believed to be prohibited by this policy.

LEGAL REFS: Title VI, Civil Rights Act of 1964  
Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 Executive Order 11246, as amended by E.O. 11375  
Equal Pay Act, as amended by the Education Amendments of 1972 Title IX, Education Amendments of 1972  
Rehabilitation Act of 1973  
Education for All Handicapped Children Act of 1975  
No Child Left Behind Act of 2001, 20 U.S.C. § 7905 (The Boy Scouts of America Equal Access Act)  
M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)  
**Acts of 2022, Chapter 117 (\*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.)**

CROSS REF: ACE, Non-Discrimination on the Basis of Disability  
ACAB, Sexual Harassment  
GBA, Equal Employment Opportunity  
IJ, Instructional Materials  
JB, Equal Educational Opportunities

SOURCE: MASC August 2022

## **File: AC-R - NON-DISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION**

Arlington Public Schools will respond promptly to any reports or complaints of discrimination, including harassment and retaliation, or other violations of civil rights, pursuant to our detailed response protocol. Where it is determined that discrimination or harassment has occurred, Arlington Public Schools will act promptly to eliminate the conduct and will impose developmentally- appropriate disciplinary, restorative, and/or corrective action.

Any member of the school community who is found, after investigation, to have engaged in any form of discrimination, including harassment or retaliation, against another member of the school community, will be subject to consequences determined appropriate by the administration. Such consequences may include restorative measures and corrective action, and/or student discipline or staff disciplinary action, up to and including termination of employment.

### **Definitions**

"Discrimination" and "Harassment" are defined as unwelcome conduct, whether verbal or physical, that is based on any individual's actual or perceived race, \* color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy or pregnancy-related conditions, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law. Discrimination and/or harassment includes, but is not limited to:

- Display or circulation of written materials or pictures that are degrading to a person or group described above.
- Verbal abuse or insults about, directed at, or made in the presence of, an individual or group described above.
- Any action or speech that contributes to, promotes or results in a hostile or discriminatory environment to an individual or group described above
- Any action or speech that is sufficiently severe, pervasive or persistent that it either (i) interferes with or limits the ability of an individual or group described above to participate in or benefit from employment or a program or activity of Arlington Public Schools; or (ii) creates an intimidating, threatening or abusive educational or working environment.

Harassment may include, but is not limited to, any unwelcome, inappropriate, or illegal physical, written, verbal, graphic, or electronic conduct, and that has the intent or effect of creating a hostile education or work environment by limiting the ability of an individual to participate in or benefit from the district's programs and activities or by unreasonably interfering with that individual's education or work environment or, if the conduct were to persist, would likely create a hostile educational or work environment.

"Title IX Sexual Harassment" (effective August 14, 2020) means verbal, physical or other conduct that targets a person based on their sex, and that satisfies one or more of the following:

- A school employee conditioning educational benefits or services on participation in unwelcome sexual conduct (i.e., quid pro quo);

- Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's educational program or activity;
- Any instance of "sexual assault", "dating violence", "domestic violence", or "stalking", as those terms are defined by the Clery Act (20 U.S.C. 1092(f)(6)(A)(v)) and the Violence Against Women Act (34 U.S.C. 12291(a)(8), (10) & (30)).

Allegations of Title IX Sexual Harassment shall be reported and investigated pursuant to the Arlington Public Schools Protocol for Investigating Sexual Harassment and Retaliation Pursuant to Title IX.

### Resources

The following individual is designated as the District ADA, Title VI, Title IX, and Sexual Harassment Coordinator, and Grievance Officer for the School Committee, administration, faculty, staff, volunteers in the schools, and for parties who are contracted to perform work for the Arlington Public Schools, and can be reached at:

Dr. Roderick MacNeal, Jr., Assistant Superintendent  
 Arlington Public School  
 869 Massachusetts Avenue  
 Arlington MA 02476  
 781-316-3523

Inquiries concerning the Arlington Public Schools' policies and protocols, compliance with applicable laws, statutes, and regulations, and complaints may also be directed to the Director of Human Resources. Inquiries about laws, statutes, regulations and compliance may also be directed to the Massachusetts Department of Elementary and Secondary Education or the Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Suite 900, Boston, MA 02109; (617) 289-0111; Email: OCR.Boston@ed.gov; Website: [www.ed.gov/ocr](http://www.ed.gov/ocr)

LEGAL REFS.: Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 Executive Order 11246, as amended by E.O. 11375

Equal Pay Act, as amended by the Education Amendments of 1972 Title IX, Education Amendments of 1972

Rehabilitation Act of 1973

Education for All Handicapped Children Act of 1975

No Child Left Behind Act of 2001, 20 U.S.C. § 7905 (The Boy Scouts of America Equal Access Act)

M.G.L. [71B:1](#) et seq. (Chapter 766 of the Acts of 1972)

Acts of 2022, Chapter 117 (\*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.)

CROSS REF: [ACE](#), Non-Discrimination on the Basis of Disability

[ACAB](#), Sexual Harassment

[GBA](#), Equal Employment Opportunity

[IJ](#), Instructional Materials

[JB](#), Equal Educational Opportunities

[Title IX Sexual Harassment Grievance Procedure](#)

[Civil Rights Grievance Procedure](#)

SOURCE: MASC December 2021

Arlington Public Schools  
Approved June 14, 2022

**File: GBA - EQUAL EMPLOYMENT OPPORTUNITY**

The School Committee subscribes to the fullest extent to the principle of the dignity of all people and of their labors and will take action to ensure that any individual within the District who is responsible for hiring and/or personnel supervision understands that applicants are employed, assigned, and promoted without regard to their race,\* color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, **active military/veteran status**, marital status, familial status, pregnancy, or pregnancy-related condition, **homelessness**, ancestry, ethnic background, national origin, or any other category protected by state or federal law. Every available opportunity will be taken in order to assure that each applicant for a position is selected on the basis of qualifications, merit and ability.

SOURCE: MASC August 2022

LEGAL REF.: M.G.L. 151B:4;

BESE Regulations 603 CMR 26:00

**Acts of 2022, Chapter 117** (\*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.)

CROSS REF.: [AC](#), Nondiscrimination

**NOTE: Although it is not usually necessary to have a policy that simply restates existing law, in this case it is important to reaffirm the School Committee's commitment to equal opportunity and to remind the hiring authorities in the District that many considerations other than District educational goals are factors to be considered.**

**This is also the category in which to include an affirmative action policy and plans. Details of the affirmative action plan could follow the Committee's policy as a School Committee-approved procedure. The cross references are to related statements in this manual.**

## **File: GCF - PROFESSIONAL STAFF HIRING**

Through its employment policies, the District will strive to attract, secure, and hold the highest qualified personnel for all professional positions. The selection process will be based upon awareness to candidates who will devote themselves to the education and welfare of the children attending the schools.

It is the responsibility of the Superintendent, and of persons to whom he or she delegates this responsibility, to determine the personnel needs of the school district and to locate suitable candidates. No position may be created without the approval of the School Committee. The District's goal is to employ and retain personnel who are motivated, will strive always to do their best, and are committed to providing the best educational environment for the children

It will be the duty of the Superintendent to see that persons considered for employment in the schools meet all certification requirements and the requirements of the Committee for the type of position for which the nomination is made.

The following guidelines will be used in the selection of personnel:

1. There will be no discrimination in the hiring process due to race\*, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law.
2. The quality of instruction is enhanced by a staff with a wide variation in background, educational preparation, and previous experience.
3. The administrator responsible for the hiring of a staff member (in the case of District-wide positions, for the position of Principals, it is the Superintendent; for building-based personnel, it is the Principal) is directed to establish a representative screening committee. The administrator has the final say in determining who will be hired but it is expected that the screening committee's input will be a factor in the decision. For those positions where the hiring authority rests with the School Committee, a representative screening committee may be established by the School Committee, or the School Committee may direct the Superintendent to establish a screening committee to assist the Superintendent in making their recommendation to the School Committee.
4. The hiring administrator shall seek recruiting, screening and training assistance from the Human Resources Director and the Superintendent or designee.

SOURCE: MASC August 2022

LEGAL REFS.: M.G.L. 69:6; 71:38; 71:38G; 71:39; 71:45

Massachusetts Board of Education Requirements for Certification of Teachers,  
Principals, Supervisors, Directors, Superintendents and Assistant  
Superintendents in the Public Schools of the Commonwealth of Massachusetts,  
revised 1994

BESE Regulations 603 CMR 7:00, 26:00, and 44:00

**Acts of 2022, Chapter 117** (\*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.)

**NOTE: School Committees may determine the size and composition of the screening committee.**



## Town of Arlington, Massachusetts

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**Policies and procedures pertaining to curriculum challenges, including by not limited to:**

**Summary:**

- File BEE - Special Procedures for Conducting Hearings
- File IJ - Instructional Materials
- File IJ-R - Reconsideration of Instructional Resources
- File IJL - Library Materials Selection and Adoption
- File KE - Public Complaints
- File KEC - Public Complaints About the Curriculum or Curriculum Materials (Retired)

**ATTACHMENTS:**

Type	File Name	Description
<input type="checkbox"/> Policy	File_BEE.pdf	File BEE
<input type="checkbox"/> Policy	File_IJ.pdf	File IJ
<input type="checkbox"/> Policy	File_IJ-R.pdf	File IJ-R
<input type="checkbox"/> Policy	File_IJL.pdf	File IJL
<input type="checkbox"/> Policy	File_KE.pdf	File KE

## **File: BEE - SPECIAL PROCEDURES FOR CONDUCTING HEARINGS**

In conducting all public hearings required by law, and others as it deems advisable, the School Committee will:

1. Give due and public notice in line with statutory requirements and seek to publicize the meeting in all local media.
2. Make available printed information on the topic of the hearing.
3. Give all persons an equal opportunity to be heard in accordance with the Committee's policy.

The Chairperson of the Committee will preside at the hearing.

The public will be informed at the beginning of the hearing the particular procedure that will be followed in regard to questions, remarks, rebuttals, and any time limitations or other rules that must be followed to give everyone an opportunity to be heard.

In conformance with customary hearing procedures, statements and supporting information will be presented first by the Committee, or by others for the Committee; to comment, citizens must be recognized by the Chair, and all remarks must be addressed to the Chair and be germane to the topic. To assure that all who wish get a chance to speak, the Chair will recognize persons who have not commented previously during the hearing before recognizing persons who wish to remark a second time.

## **File: IJ - INSTRUCTIONAL MATERIALS**

The School Committee believes that materials appropriate to the needs of the school program must be available to each student and teacher. These will be furnished by the School Committee subject to budgetary constraints.

The task of selecting instructional materials for programs will be delegated to the professional staff of the school system. Because instructional programs and materials are of great importance, only those that meet the following criteria will be approved by the Committee:

1. They must present balanced views of international, national, and local issues and problems of the past, present and future.
2. They must provide materials that stimulate growth in factual knowledge, literary appreciation, aesthetic and ethical values.
3. They must help students develop abilities in critical reading and thinking.
4. They must help develop and foster an appreciation of cultural diversity and development in the United States and throughout the world.
5. They must provide for all students an effective basic education that does not discriminate on the basis of race, age, color, religion, national origin, sex, gender identity, physical disabilities or sexual orientation.
6. They must allow sufficient flexibility for meeting the special needs of individual students and groups of students.

LEGAL REFS.: M.G.L. [30B:7](#); [71:48](#); [71:49](#); [71:50](#)

BESE regulations 603 CMR [26.00](#)

CROSS REF.: KEC, Public Complaints about the Curriculum or Instructional Materials

## **File: IJ-R - RECONSIDERATION OF INSTRUCTIONAL RESOURCES**

Material that is challenged usually belongs to one of the three basic categories: religion, ideology, or profanity/obscenity. Board policies regarding these areas shall be as follows:

### **Religion-Factual, unbiased material on religions has a place in school libraries.**

**Ideologies-Libraries should, with no thought toward swaying reader judgment, make available a balanced collection of primary and factual material, on the level of their students on various ideologies or philosophies which exert or have exerted a strong force, either favorably or unfavorably, in government, current events, politics, education and other phases of life.**

**Profanity/Obscenity-Materials shall be subjected to a test of literary merit and reality in context using the criteria established.**

When a problem concerning instructional resources in a school arises, the disposition of the problem will be made in a reasonable period of time using District adopted procedures.

In accordance with the statement of philosophy, no questioned materials shall be removed from the school pending a final decision. Pending the outcome of the request for reconsideration, however, access to questioned materials can be denied to the students of the parents making the complaint, if they so desire.

If the decision of the School Committee is that the questioned instructional resource be retained, the District will not convene a Review Committee relative to the same complaint for a period of three years. If a substantially different point of view is advanced, it will be investigated. (The period of three years does not apply in this instance).

If an individual or a group undertakes action to keep material from the shelves by checking it out and failing to return it, or by taking turns in keeping it checked out so that it is not available for student use, the Superintendent shall request, in writing, the return of the material. If it is not returned within thirty (30) days, a bill for the current replacement cost of the item shall be rendered to the party holding the item.

After the School Committee has adopted new materials or approved certain methods, that decision will not be reconsidered for a period of three years beginning with the end of the school year when the adoption is made.

## **File: IJL - LIBRARY MATERIALS SELECTION AND ADOPTION**

The School Committee endorses the School Library Bill of Rights, as adopted by the American Library Association, which asserts that the responsibility of the school library is to:

1. Provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the students served.
2. Provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
3. Provide a background of information that will enable students to make intelligent judgments in their daily lives.
4. Provide materials on opposing sides of controversial issues so that young citizens may develop under guidance the practice of critical reading and thinking.
5. Provide materials representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage.
6. Place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library.

Initial purchase suggestions for library materials may come from all personnel--teachers, coordinators, and administrators. Students will also be encouraged to make suggestions. The librarian will recommend materials to be included in the school library. Final approval and authority for distribution of funds will rest with the building Principal subject to the approval of the Superintendent.

Gifts of library books will be accepted in keeping with the above policy on selection. Complaints about library books will be handled in line with Committee policy on complaints about instructional materials.

LEGAL REF.: 603 CMR [26:05](#)

CROSS REF.: KEC, Public Complaints about the Curriculum or Instructional Materials

## **File: KE - PUBLIC COMPLAINTS**

When a staff member receives a complaint, the School Committee expects the staff member to do so courteously and to make an appropriate reply.

The School Committee believes that complaints and concerns are best addressed and resolved as close to their origin as appropriate to the circumstances. Thus, the Committee encourages individuals to present and discuss any complaints they may have with the staff member against whom the complaint is directed whenever appropriate. If the individual is not comfortable addressing the matter with the staff member, or if the matter remains unresolved after doing so, the individual may address the complaint to the Building Principal or his/her designee or to the Superintendent of Schools or his/her designee.

Whenever a complaint is made directly to the School Committee as a whole or to a School Committee member as an individual, it will be referred to the school administration for study and possible solution, provided that the School Committee may directly address complaints regarding the conduct or performance of the Superintendent where appropriate.

Should dissatisfaction remain after the above steps have been taken, the complainant may contact the School Committee Chair, who shall arrange for the School Committee to address the matter if the Chair deems appropriate



## **Town of Arlington, Massachusetts**

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### **Future Agenda Items**



## Town of Arlington, Massachusetts

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**Adjournment (P. Schlichtman)**



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**Town of Arlington, Massachusetts**

**Submitted by Paul Schlichtman**